

REMARKS/ARGUMENTS

In the Office Action mailed May 13, 2008, claims 1-12 were rejected. Additionally, claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claims 1, 9-10, and 12 have been amended and claim 13 has been added. Applicant hereby requests reconsideration of the application in view of the amendments and the below-provided remarks.

Claim Rejections under 35 U.S.C. 112

Claims 9-10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In response, claims 9 and 10 have been amended to clarify the phrases. Applicant respectfully submits that amended claims 9 and 10 particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Allowable Subject Matter

Applicant appreciates the Examiner's review of and determination that claims 9 and 10 recite allowable subject matter. In particular, the Office Action states that claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claim 13 has been added to include all the limitations of claims 1-3, 8 and 9. Because claim 13 includes the limitations of claim 9 and all intervening claims, Applicant respectfully submits that claim 13 is in condition for allowance.

Claim Rejections under 35 U.S.C. 103

Claims 1-4, 6-8, 11 and 12 were rejected under 35 U.S.C. 103(a) as being unpatentable over Koblmiller et al. (DE 10148891, hereinafter Koblmiller) in view of Barclay et al. (U.S. Pat. No. 7,325,250, hereinafter Barclay). Additionally, claim 5 was

rejected under 35 U.S.C. 103(a) as being unpatentable over Koblmiller in view of Barclay and further in view of Rizzo et al. (U.S. Pat. No. 7,308,249, hereinafter Rizzo). However, Applicant respectfully submits that these claims are patentable over Koblmiller, Barclay, and Rizzo for the reasons provided below.

Independent Claim 1

Claim 1 has been amended to particularly point out that the lower limit of the comparing means is “*established to indicate a failure of the clock signal*” and the upper limit of the comparing means is “*established to indicate a failure of the digital data signals.*” Support for the amendment is found in Applicant’s specification (U.S. Pat. Pub. No. 2007/0170256 A1) at, for example, paragraphs [0028] and [0029]. As amended, claim 1 recites

“Reset circuit comprising a clock signal input for receiving a clock signal consisting of a sequence of clock signal cycles, comprising a data signal input for receiving digital data signals, said digital data signals being encoded in such a manner that at least one signal edge appears per data bit in the data signal, comprising a counting stage being connected to the data signal input and the clock signal input and being designed for counting a number of clock signal cycles, which clock signal cycles appear between a defined number of data signal edges, and comprising comparing means, said comparing means being designed for comparing the number of clock signal cycles counted by the counting stage with a lower limit established to indicate a failure of the clock signal and/or with an upper limit established to indicate a failure of the digital data signals and said comparing means being designed to emit a reset signal, if the number either remains below the lower limit or exceeds the upper limit, depending on the limit value taken for comparison.” (emphasis added).

Applicant respectfully asserts that Koblmiller in view of Barclay does not teach a lower limit “*established to indicate a failure of the clock signal*” and an upper limit “*established to indicate a failure of the digital data signals*” as recited in amended claim 1. Accordingly, Applicant respectfully asserts that amended claim 1 is not rendered obvious over Koblmiller in view of Barclay.

Dependent Claims 2-11

Claims 2-11 depend from and incorporate all of the limitations of the independent claim 1. Applicant respectfully asserts that claims 2-11 are allowable at least based on an allowable claim 1.

Independent Claim 12

Claim 12 has been amended to particularly point out that the lower limit of the comparing means is “*established to indicate a failure of the clock signal*” and the upper limit of the comparing means is “*established to indicate a failure of the digital data signals.*” As amended, claim 12 includes similar limitations to amended claim 1. Because of the similarities between claim 1 and claim 12, Applicant respectfully asserts that the remarks provided above with regard to amended claim 1 apply also to amended claim 12. Accordingly, Applicant respectfully asserts that amended claim 12 is patentable over Koblmiller in view of Barclay.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amendments and remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

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